United States Patent and Trademark Office

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,653	04/24/2001	Yervant D. Lepejian	heur-018	6432

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SIERRA PATENT GROUP, LTD.
P O BOX 6149
STATELINE, NV 89449

EXAMINER
PAN, DANIEL H

ART UNIT	PAPER NUMBER
2183	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application N .	Applicant(s)
Office Action Summary	09/841,653	LEPEJIAN ET AL.
	Examiner	Art Unit
	Daniel Pan	2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 September 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-12,14-19,24-28 and 30-43* is/are pending in the application.

   4a) Of the above claim(s) *4,13,20-23 and 29* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-12,14-19,24-28 and 30-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1.   Claims 1-3,5-12,14-19,24-28,30-43 remain for examination. Claims 4,13,20-
23,29 have been canceled.

2.   Applicant's arguments with respect to claims 1-3,5-12,14-19,24-28,30-43 have

been considered but are moot in view of the new ground(s) of rejection.

3.   Aoki et al. (5,892,948) and Oppenheim (5,734,905) were cited to applicant in

previous action, therefoe, copies are not being provided herein.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3,5-12,14-19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Aoki et al. (5,892,948) in view of Zellweger (5,630,125).

5.   As to claims 1,6,11, Aoki disclosed a graphic presentation system (e.g. see

fig.10) at least :

a) a display graphics [icons] generated from data file (see the data file presented by

icon in col.9, lines 50-56), detect a user indicated selection (see the click of a mouse in

col.8, lines 34-50) from the display graphics (see fig.10, see also fig.6 for background

teaching), read information from branch processing included in the data file (see the

object), and perform a branch processing based on the user selection [click] (see col.10,

lines 26-40, see also col.10, lines 63-67, col.11, lines 1-28 for the branching icon and

corresponding processing).

6.   Aoki did not specifically show the header portion stored the branching

processing information as claimed. However, Zellweger disclosed a system concluding

a header portion comprising branching processing information (see the branching node

in the header and the number of entries and children fields in fig.6, col.17, lines 46-

62). It would have been obvious to one of ordinary skill in the art to use Zellweger in

Aoki for storing the branching information in the header as claimed because the use of

Zellweger could provide Aoki the control ability to adapt to specific data structure, such

as a header, for branching processing in a predefined format, therefore, increasing

the integration of the file type in a system, and because Aoki also taught that his

program, data , and the directory (header) were handled by objects, one of ordinary

skill in the art should be able to recognize the applicability of the header and data

portions in Aoki, and in doing so, provided a motivation.

7.   As to claims 2,3,12, Aoki also included a pointing device , mouse (see col.8,

lines 36-55). Mouse had been known to be a pointing device to a given position in the

display, therefore, it had the coordinate information.

8.   As to claim 5, 14, Aoki's branch processing was also executable program (see

the execute function).

9.   As to claims 6, 9,15, 18, Aoki also included a plurality of selectable branches or

workflows (see the adjacent branches in fig.10, see selection by clicking the mouse in

col.8, lines 27-55).

10.   As to claims 7, 16, Aoki also included workflow information (see the icons

arrayed in right to left and top to bottom in col.9, lines 65-67, col.10, lines 1-4).

11.   As to claims 8,17, Aoki also included executable names [a-e], and work flow

names [A-B processes] and execution parameters [branching icons] (see the objects a-

e in col.11, lines 6-28).

12.   As to claims 10,19, Aoki's workflow (e.g. process A) also included the correlated

executable name [a][c] and executable parameter [branching icon] (see col.11, lines 6-

28).

13.   Claims 24-28,30-44 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Oppenheim (5,734,905) in view of Zellweger (5,630,125).

14.   As to claims 24, 41, Oppenheim taught at least :

a) displaying graphics generated from data included in a data file (e.g. see fig.2, and

fig.3, see col.3, lines 34-41);

b) detecting a user indicated selection from the displayed graphics (see the clicking

onto the object in fig.3, see col.6, lines 6-26);

c) reading information of branch processing according to the user's selection (see the

begin transformation process in col.6, lines 27-40, col.8, lines 7-36 for more linked

transformation processes).

15.   The language "branch" is read in view of the specification as the activation point

of a process or option (see applicant's clicking of a process option in the last page of

the detailed description).

16.   Oppenheim did not specifically show the branch information was stored in the

header portion as claimed. However, Zellweger disclosed a system including a header

portion comprising branching processing information (see the branching node in the

header and the number of entries and children fields in fig.6, col.17, lines 46-62). It

would have been obvious to one of ordinary skill in the art to use Zellweger in

Oppenheim for storing the branching information in the header as claimed because the

use of Zellweger could provide Oppenheim the processing capability to accept a

predetermined type of data structure, such as a header, for branching processing in a

given format, thereby, enhancing the integration of the data file and the header, for

particular processing requirement , such as branching process , and it could be readily

achieved by predefining the header portion of Zellweger into the configuration file of

Oppenheim so that the branching information in the header could be recognized by

Oppenheim, for the above reasons, provided a motivation.

17.   As to claims 25,26,27, Oppenheim also included the coordinate control because

it included a pointing device, such as mouse, pointing to the position on the display (see

col.6, lines 15-24). Mouse had been known to be a pointing device to a given position

in the display, therefore, it had the coordinate information. Oppenheim's object was also

an area on the display (see fig.3).

18.   As to claim 28, Oppenheim's coordinate control (the mouse) must indicated an

image because it is pointing to an object on the display.

19.   As to claim 29, Oppenheim also included data portion [[Object Body 163] and

header portion [162] (see fig.2, see the pointer ,Ptr, for the branch processing).

20.   As to claim 30, Oppenheim also included executable program after the selection

(see col.6, lines 6-67, see also col.8, lines 7-22 for the transformation process after the

selection).

21.   As to claim 31, Oppenheim also included executable name [object], workflow

name [transformation process], execution parameters (see   the parameters in col.6,

lines 35-67, in col.8, lines 9-22).

22.   As to claim 32, Oppenheim also included plurality of executable programs

organized into branches individually selectable (see the menu of the transform

processes in fig.7, col.8, lines 7-22, see also col.7, lines 21-26 for the user's selection).

23.   As to claims 33, Oppenheim also included information for workflow after the

selection (see the transformation options and the linking process in col.8, lines 7-36).

24.   As to claims 34, 36, Oppenheim also included executable name [object],

workflow name [transformation process], and executable parameters [linking

information] (e.g. col.8, lines 23-36). Claim 34 is believed to be dependent from claim

24. Applicant is suggested to provide correction in the next response.

25.   As to claim 35, Oppenheim also included plurality of workflows organized into

branches individually selectable by user (see the transformations performed on the

linked objects in col.8, lines 23-36, see the col.8, lines 7-22 for the menu selections).

26.   As to claim 37, Oppenheim also included reading of the header information
(see fig.2 [620]).

27.   As to claims 38-40, Oppenheim also included image on the display (see fig.3).
As to the chart in the display, Oppenheim's objects [182][180] are a chart. No specific
feature or format of the chart is being recited in the claim , therefore, it is interpreted as
any chart.

28.   As to claim 42, Oppenheim also included selection of a first process, and
selection of a second process (see the selections on many different transformation
processes in the menu options in col.8, lines 15-22).

29.   As to claim 43, Oppenheim also included a process branch [transformation] on
a process option [the portion or the parameter of the object] according to the coordinate
information [mouse] (see col.8, lines 7-22).

30.   As to claim 44, Oppenheim also included :

a) displaying a menu of plurality of process options (see col.8, lines 1-22);

b) detecting user 's selection option form the menu (see col.8, lines 1-22);

c) execution of the selected process according to the coordinate information (see the
mouse pointing device on the display in col.6, lines 7-27, see the execution of the
transform process in col.6, lines 55-60, col.8, lines 44-60).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
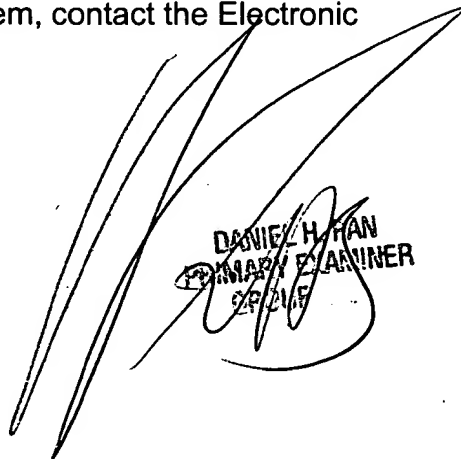
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan whose telephone number is 703 305 9696. The examiner can normally be reached on M-F from 8:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan, can be reached on 703 305 9712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free).

21 Century Strategic Plan

DANIEL H. PAN
PRIMARY EXAMINER